

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LARRY FREUDENBERG, Individually And On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,

Defendants.

Civil Action No. 07-cv-8538 (RWS)

CLASS ACTION

WILLIAM BOSTON, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,

Defendants.

Civil Action No. 07-cv-8808 (RWS)

ROBERT D. THURMAN, Individually And On
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,

Defendants.

Civil Action No. 07-cv-9651 (RWS)

WENDY M. DAVIDSON, individually and on behalf of all others similarly situated,

Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,

Defendants.

Civil Action No. 07-cv-10400 (UA)

JOSHUA FERENC, individually and on behalf of all others similarly situated,

Plaintiff,

vs.

E*TRADE FINANCIAL CORPORATION,
MITCHELL H. CAPLAN AND ROBERT J.
SIMMONS,

Defendants.

Civil Action No. 07-cv-10540 (SHS)

**DECLARATION OF ELIZABETH A. SCHMID ESQ. IN SUPPORT OF THE
MOTION OF THE KRISTEN-STRAXTON GROUP FOR CONSOLIDATION OF
ALL RELATED CASES, APPOINTMENT OF LEAD PLAINTIFF
AND APPROVAL OF THE SELECTION OF LEAD COUNSEL**

I, Elizabeth A. Schmid, Esq., hereby declare, under penalty of perjury, as follows:

1. I am an attorney at the law firm of Brower Piven, A Professional Corporation ("Brower Piven"). I submit this Declaration in support of the Motion Of The Kristen-Straxton Group For Consolidation Of All Related Cases, Appointment Of Lead Plaintiff And Approval Of The Selection Of Lead Counsel.

2. Attached hereto as Exhibit A is a true and correct copy of the complaint in *Larry Freudenberg v. E*TRADE Financial Corporation, et al.*, No. 07-cv-8538 (S.D.N.Y.) (the "*Freudenberg Action*").

3. Attached hereto as Exhibit B is a true and correct copy of a Consolidated Schedule Of Transactions And Losses of the members of the Kristen-Straxton Group in E*Trade Financial Corporation securities during the alleged Class Period.

4. Attached hereto as Exhibit C is a true and correct copy of the notice published through *Business Wire* on October 2, 2007 disseminated by counsel in the first filed action herein, the *Freudenberg* Action.

5. Attached hereto as Exhibit D is a true and correct copy of the Plaintiff's Certification executed by Kristen Management Limited.

6. Attached hereto as Exhibit E is a true and correct copy of the Plaintiff's Certification executed by Straxton Properties Inc.

7. Attached hereto as Exhibit F is a true and correct copy of the Plaintiff's Certification executed by Javed Fiyaz.

8. Attached hereto as Exhibit G is a true and correct copy of the sworn declaration executed by Vincent de Cannière as sole director of Kristen Management Limited and Straxton Properties Inc.

9. Attached hereto as Exhibit H is a true and correct copy of the sworn declaration executed by Javed Fiyaz.

10. Attached hereto as Exhibit I is a true and correct copy of the firm resume of Brower Piven.

Executed: December 3, 2007
New York, New York

/s/ Elizabeth A. Schmid
Elizabeth A. Schmid